

12-10-01

Products or Services

PTO/SB/05 (11-00)

Approved for use through 10/31/2002 OMB 0651-0032

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UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	023987.43009
First Inventor	Mark B. Hodes
Title	Method and Apparatus for Point of Sale Activated Delivery of
Express Mail Label No.	EK716354359US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

- Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
- Applicant claims small entity status.
See 37 CFR 1.27.
- Specification [Total Pages **66**]
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
- Drawing(s) (35 U.S.C. 113) [Total **19**]
- Oath or Declaration [Total Pages **3**]
 - Newly executed (original or copy)
 - Copy from a prior application (37 CFR 1.63(d))
 - i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)
- Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. paper
 - c. Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))
10. 37 CFR 3.73(b) Statement (when there is an assignee) Power of Attorney
11. English Translation Document (if applicable)
12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
Certified Copy of Priority Document(s) (if foreign priority is claimed)
15.
16. Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. Other: Statement Re: US Patent Application Having Provisional Serial No. P-105,049

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-part(CIP) of prior application No.: **P/105,049**

Prior application information. Examiner _____

Group / Art Unit _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number or Bar Code Label	28172	or <input checked="" type="checkbox"/> Correspondence address below (Insert Customer No. or Attach bar code label here)			
Name	Susan B. Fentress Butler, Snow, O'Mara, Stevens & Cannada PLLC				
Address	P.O. Box 171443				
City	Memphis,	State	Tennessee	Zip Code	38387
Country	United States of America	Telephone	(901) 680-7319	Fax	(901) 680-6201

Name (Print/Type)	Bradley D. Beck	Registration No. (Attorney/Agent)	35,440
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Signature	Bradley D. Beck
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Date	12/7/01
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Burden Hour Statement. This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision

TOTAL AMOUNT OF PAYMENT **\$2,023.00**

Complete if Known

Application Number	New
Filing Date	December 7, 2001
First Named Inventor	Mark B. Hodes
Examiner Name	
Group Art Unit	
Attorney Docket No.	023987.43009

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to.Deposit Account Number **50-0858**Deposit Account Name **Butler, Snow et al.** Charge Any Additional Fee Required
Under 37 CFR §§ 1.16 and 1.17 Applicant claims small entity status
See 37 CFR § 1.272. Payment Enclosed: Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	370.00
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	
SUBTOTAL (1)		\$370.00			

2. EXTRA CLAIM FEES

Extra Claims	Fee from below	Fee Paid
Total Claims 143 -20** = 123	9.00	\$1,107.00
Independent Claims 16 - 3** = 13	42.00	\$546.00
Multiple Dependent		

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		\$1,653.00		

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non - English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR § 1.17(q)	
126	180	126	180	Submission of Information Disclosure Statement	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify) _____					

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) **_____**

SUBMITTED BY		Complete (if applicable)		
Name (Print/Type)	Bradley D. Beck	Registration No. (Attorney/Agent)	35,440	Telephone (901) 680-7311
Signature	<i>Bradley D. Beck</i>		Date	12/7/01

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:)
Mark B. Hodes)
Application No.: New)
Filed: December 7, 2001)
For: METHOD AND APPARATUS)
FOR POINT OF SALE)
ACTIVATED DELIVERY OF)
PRODUCTS OR SERVICES) Attorney Docket No.: 023987.43009

TRANSMITTAL LETTER

Box Patent Application
Assistant Commissioner for Patents
P.O. Box 2327
Arlington, VA 22202

Sir:

The following documents for the above-captioned application are enclosed herewith:

1. Utility Patent Application Transmittal;
2. Fee Transmittal;
3. Specification (66 pages);
4. Drawings (19 sheets);
5. Declaration and Power of Attorney;
6. Statement Concerning U.S. Patent Application
Having Provisional Serial No. P-105,049;
7. Check No. 1004 in the amount of \$2,023.00 in payment of the filing fees;
8. Return Postcard;
9. US Express Mail Label No. EK716354359US

Respectfully Submitted,

BUTLER, SNOW, O'MARA, STEVENS
& CANNADA, PLLC

December 7, 2001
Date

P.O. Box 171443
Memphis, TN 38187
(901) 680-7311

By: Bradley D. Beck
Bradley D. Beck
Reg. No. 35,440

U.S. Express Mail Label No. EK716354359US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:)
Mark B. Hodes)
Serial No.: New)
Filed: December 7, 2001)
For: METHOD AND APPARATUS)
FOR POINT OF SALE)
ACTIVATED DELIVERY OF)
PRODUCTS OR SERVICES) Attorney Docket No.: 023987.43009

**STATEMENT CONCERNING U. S. PATENT APPLICATION HAVING
PROVISIONAL SERIAL NO. P-105,049**

Box Patent Application
Assistant Commissioner for Patents
P.O. Box 2327
Arlington, Virginia 22202

Sir:

A U. S. Utility Patent Application was filed on October 26, 2001 via U. S. Express Mail having US Express Mail Label Number EK716354209US (hereinafter the "October Application."), entitled "Method and Apparatus For Point of Sale Activated Delivery of Products or Services and naming Mark B. Hodes as inventor. Due to circumstances in connection with U. S. Express Mail packages sent to the Patent and Trademark Office during this time period, beyond the control of the Applicant for the October Application, the October Application has been quarantined and remains unopened and unprocessed by the United States Patent and Trademark Office, and therefore has not been assigned a normal serial number (the latest inquiry made to the Patent Office in this regard was made on December 6, 2001).

Applicant for the October Application requested a foreign filing license and was granted foreign filing license number 527,879 on November 19, 2001 by the Division of Licensing and Review of the United States Patent and Trademark Office. The Division of Licensing and Review assigned the October Application the provisional serial number P-105,049 in connection with the foreign filing license, and this is the serial number that is being used to identify the October Application on the first page of the captioned U. S. Application (in the "Related Applications" Section) and the associated documents submitted herewith.

In the event the Examiner, has any questions regarding this document, please contact the undersigned at the telephone number listed below.

Respectfully Submitted,

BUTLER, SNOW, O'MARA, STEVENS
& CANNADA, PLLC



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US Express Mail Label No.: EK716354359US